



MEETING SUMMARY

CALIFORNIA WATER PLAN UPDATE 2013
TRIBAL AC – TRIBAL WATER SUMMIT PLANNING MEETING
10:00 A.M. – 2:00 P.M.
CCP LARGE CONFERENCE ROOM, 815 S STREET SACRAMENTO, CA

MEETING OBJECTIVES:

1. Review TWS budget information.
2. Discuss Summit exhibits.
3. Develop agenda concepts for each Summit “theme” and finalize Design Teams.

Table of Contents:

Welcome and Introductions	1
Budget and Travel Reimbursement	1
Exhibitors	2
Summit Content	2
Design Teams.....	2
Timelines.....	3
Tribal Ecological Knowledge	3
Marine Life Protection Act	5
Watershed Management and Land Use	7
TWS Work Plan.....	9
Resolution	10
Action Items.....	Error! Bookmark not defined.
Attendance	12

Welcome and Introductions

Stephanie Lucero, Tribal facilitator, reviewed the agenda for the day. The meeting focus would be on discussing agenda concepts for the major Summit themes, which Design Teams could then build on. Introductions were made around the room and on the phone to begin the meeting.

Budget and Travel Reimbursement

Ron Goode, TWS funding coordinator, confirmed that Sierra Nevada Conservancy will be contributing \$5,000 to the Summit and the Bureau of Reclamation is requesting \$7,000 to contribute for the Summit, but not confirmed. Several Tribes are reviewing contribution requests. The overall budget was quickly reviewed, with DWR contributions highlighted to demonstrate total level of funding including in-kind contributions. The TWS Planning Team has monthly in-person meetings allocated through March 2013. Design Team meetings and any additional TWS Planning Team meetings will need to be via teleconference. The November 8, 2012 and January 24, 2013 meetings will be joint in-person meetings with the Tribal AC. Any in-person meetings, beyond one per month, will not have travel reimbursed.



It was mentioned that Tribes who are interested in travel scholarships will be able to indicate their needs using Survey Monkey. The link will be provided within the online RSVP page.

Exhibitors

The group discussion described the range of content that could be associated with exhibits:

- Demonstrations of cultural practices/materials relating to water
- Showcase of accomplishments and work being done
- Information/case studies/new ideas
- Information tables for donors
- Opportunities for funding and collaboration
- Illustrating Native American trade

It was clarified that exhibits cover both demonstrations and posters. Vendors, coming to sell, are not exhibitors. Last time, there was a demonstration – where sales were contributed back to the Summit or vendors were permitted to sell items as part of trade and service they had already provided to the Summit. In addition to exhibits being consistent with the Summit, it was suggested that exhibitors be from California only.

Last year, there were tables that contributed items for a raffle. Bobbi Jo Henry turned all proceeds over for scholarships. If there are vendors, non-Native participants may not understand the aspects of common trade. The exhibit hall should have a note explaining how the individuals are demonstrating cultural uses of water-related materials. Additionally notes can be drafted for the materials provided at the Summit and announcements may be made.

ACTION ITEM: Atta will be involved with the Exhibits Team.

ACTION ITEM: Add “Exhibits” to the next TWS Planning Team agenda.

ACTION Item: Exhibits team will work on language to describe the purpose of the exhibit hall and demonstrations generally.

Summit Content

Design Teams

- Watershed Management and Land Use: Julie-Griffith Flatter announced that Stephanie Suess, Jennifer Sorenson, Leslie Cleveland and Jackie Gonzales will serve on this team.
- Tribal Ecological Knowledge: Kimberly Johnston-Dodds, Marlon Sherman, and Jared Aldern will be working on this team. Kimberly is confirming other team members.
- Indigenous Rights to Water: Paula Britton, Atta Stevenson, Ken Wiseman, Steve Archer and Hawk Rosales are team members.

Chris Keithley and Kelly Larvie from CalFire will determine where to participate.

ACTION ITEM: Update Tribal Water Summit Teams roster document.



Timelines

- TWS Planning Team members brainstorm today (October 17th)
- Tribal AC discusses Summit content on November 8th
- Design Teams refine content – November through December
- Design Teams review theme agendas with TWS Planning Team at December meeting

ACTION ITEM: Discuss white papers, which are needed to engage Tribes.

Tribal Ecological Knowledge

Three documents were handed out:

- recap of comments from past TWS Planning Team meetings
- worksheet for developing agendas for TWS themes
- North Pacific LCC TEK research projects

It was strongly recommended to stay away from the term “best practices.” This phrase conveys a sense of knowing the best way and does not encourage opening the door to new insights. Often, scientific knowledge is not developed with Tribal perspectives or stewardship practices. It would be helpful to think in a broader context. We want to encourage new approaches. Explain that the concept of “best practices” can be limiting.

Discussion

- Tribal ecological knowledge consists of philosophy, practice, spirituality and education. Under education, there can be information about nutritional value, ecosystem health and provision of cultural materials. This knowledge and education factor is usually not brought in.
- In the last AC meeting, science representatives expressed that the general public is not listening to them. Science doesn't have spirituality, it does have education. The history of scientific studies does not go back to pre-contact conditions – fire practices go back 200 years to when Native Americans were living on the land. The scientific timeline is not appropriate to considering Tribal ecological knowledge. Tribes draw on the knowledge of past generations. MLPA is a good example of tackling a tough situation and generating good results. The Tribal ecological knowledge needs to explain what this knowledge is all about.
- Consider a session on Tribal ecological knowledge regarding forest management: fire practices, meadows restoration.
 - The Karuk have a long-term land stewardship agreement with USFS, which encompasses Karuk lands. This is a new approach, explain what was done. (Agreements provide the infrastructure for working with agencies and including Tribal ecological knowledge – this can include MOUs, Executive Orders, BIA agreements with other Federal agencies. Explain the process that the Karuk had to go through to get to this point.)



- There is a recent report on forest management, including Tribal ecological knowledge, is about to be released. Frank Lake and Jonathon Long (forest researchers) are the authors.
 - For any particular area of forest, the original Tribe may have been terminated. Self-determination can help bring those voices into the process.
- The North Fork Mono Tribe, which is not Federally-recognized, has good working relations with USFS. There are constantly projects that are going on. There will be a 200-acre burn this spring, with smaller cultural burns for black oaks. The Tribe is collaborating with Stanford, with cross-cultural collaboration with Australia. Stanford students will conduct surveys, including damage done to cultural materials by mistletoe. The project ensures that a segment of crop harvest trees will be brought back into production (about 50). Access is an issue for gatherers. Meadow restoration is another project being planned.
- The Tuolumne Me-Wuk Tribal Council is part of the Yosemite-Stanislaus Collaborative, comprised of NGOs and agencies to implement forest management. The Tribe recently completed a conservation activity plan, funded by NRCS, including a baseline assessment of an area of Tribal land, which is surrounded by Stanislaus National Forest. The elders were involved in discussing logging and gathering practices. The Tribe is applying for funds through IRWM for meadow restoration. They are looking at watershed health from an ecological system perspective. There is also a summer youth intern program, involved with surface water quality monitoring. The elders are very pleased with the prospect of having the meadows restored and being able to gather. EQUIP grants may help with employment for Tribal members.
- There was a suggestion to have small group discussions relating to different aspects of forest management. It was noted that it is difficult to separate out individual management practices, since they are inter-connected into a holistic perspective. The interest is in hearing from as many participants as possible during the discussion component of the sessions.
- The participation of CalFIRE in the TWS planning phase is greatly appreciated. CalFIRE has been working with some Tribes in the Salinas area and they conducted a burn for grass and cultural materials. This is excellent. Central California Tribes are looking to establish a council for controlled burns. At one of the meetings, a CalFIRE representative asserted that they would continue to focus on suppression. The Air Board noted that smoke was a problem; from a Native American perspective, smoke is not a nuisance. Smoke helps halt sudden death oak syndrome and the spread of mistletoe. Plants need exposure to smoke for a few days – smoke that settles into a valley for two weeks isn't beneficial for anyone. There are technical options for moving smoke out. Tribal ecological knowledge is based on ingrained philosophy, practice and spirituality – how Tribal members live.
- The goal is to look at the knowledge that is available and can be incorporated into agency approaches. The state and Tribes need to work on bringing in a wide range of information to inform forest management approaches. We need to look at how to bring it together.



- Knowledge sharing is based on relationships and trust-building. Tribes see the system components as linked. Getting a feel for that is important. Tribal burning practices are being taught in university forest programs and forests are adopting let-burn approaches.
- We will be looking at challenges, accomplishments and lessons learned for each theme. One of the challenges will be the wide range of topics associated with Tribal ecological knowledge. Agencies often have a single-topic focus: water quality, air, fire management. A challenge is how to bridge subject-matter topics with broader, holistic perspectives.
- The indigenous rights presentation could talk about Tribal ecological knowledge, discussing core values. Each theme has Tribal ecological knowledge attached to it.
- Case studies can also be presented through poster sessions and will help build a tool kit.
- There could be a recommendation for a California Tribal ecological knowledge summit. There is a real need for state agencies and Tribes to discuss Tribal ecological knowledge. See if agencies have resources to contribute to holding that summit.
- There are Tribes in the Mojave area – they will be impacted by green energy impacts on their lands. They are practicing Tribal ecological knowledge every day, although it may not be seen. Development on or near Tribal lands and waterways must keep Tribal knowledge at the forefront.
- The education focus must be directed to policy recommendations.
- At the Sediment RMS workshop, there was a comment that geothermal activity can affect the water quality of hot springs and sediments.
- Alternative energy has sound impacts. There needs to be information about the impacts associated with construction and operation of energy projects.

ACTION ITEM: Kimberly will follow up with the Karuk Tribe. This is a formal process and Kimberly will send a letter to the Chairman, and invite them on behalf of the TWS to share their MOUs with agencies.

ACTION ITEM: Provide a call out to Tribes, highlighting a few cases studies and asking what is going on in their area.

ACTION ITEM: Bring the proposal to the Tribal AC to look at interest in a summit on California Tribal ecological knowledge.

ACTION ITEM: Conduct targeted outreach to Mojave tribes to contribute to the Tribal Ecological Knowledge section.

Marine Life Protection Act

Ken Wiseman, Executive Director of the Marine Life Protection Act (MLPA) Initiative, spoke about using the MLPA process as a case study. The process started with the limitations of science and best practices. It concluded with the open, flexible approach represented by Tribal ecological knowledge. It evolved from a worst-case situation to a best-case opportunity as it relates to Tribes. That's the story we want to convey.



The original MLPA approach did not include the Tribes. While not intentional, this happens often. The initial stakeholder process encountered funding constraints. Private foundations provided funding and encouraged a collaborative process. We did not get tied to best practices and were open to new opportunities to engage Tribes in ocean protection. There is now a designation for Tribal gathering, which wasn't envisioned as a possibility.

There was a discussion as to the best location for the topic of the MLPA – there is a fit with indigenous rights, and access to fishing, gathering and harvesting. It also fits with Tribal ecological knowledge. Tribes brought their knowledge to the agencies regarding what stewardship, fishing, land management and water use really means – it is the continuation of salmon and of Tribal cultural and spiritual practices, as well as the nutritional value derived. The MLPA case study also ties to Watershed Management, with discussions on the health of the estuaries and watersheds. These affect the paths of salmon. The scientific advisory committee needed to be told about the relationships between communities, watershed and fisheries. Land use ties into pollution and runoff from dairies.

Tribes have never waived their rights for fishing, gathering. The historical aspects of California Tribes were put on the table. There were very tense meetings for over ten years. When discussions started on the north coast, that's when the dialog and education really started. Tribes found strong support from commercial and recreational fishing interests. There are many aspects that relate to TWS.

Mr. Wiseman noted that Parks, CalFire and DWR had experience in dealing with Tribes. DFG did not. These departments are all in the same agency. Departments are now identifying tribal liaisons to provide consistency within the Resources Agency. This is an ongoing process that is now looking at monitoring.

The MLPA process went out to Tribal lands and gained first-hand information. The team would like a 45-min allocation for a presentation. Sinkiyone Wilderness Council negotiated between four North Coast tribes and state agencies. It was handled through administration instead of litigation.

ACTION ITEM: Two areas of the MLPA process that could be focused on include: the type of Tribal knowledge shared; and the process that brought that knowledge in.

Discussion

- The case study, using either presentation or presentation and panel, will need to touch on all three themes.
- Tribal ecological knowledge consists of philosophy, practice, spirituality and education. Under education, there can be information about nutritional value, ecosystem health and provision of cultural materials. This knowledge and education factor is usually not brought in.



- In the last AC meeting, science representatives expressed that the general public is not listening to them. Science doesn't have spirituality, it does have education. The history of scientific studies does not go back to pre-contact conditions – fire practices go back 200 years to when Native Americans were living on the land. The scientific timeline is not appropriate to considering Tribal ecological knowledge. Tribes draw on the knowledge of past generations. MLPA is a good example of tackling a tough situation and generating good results. The session needs to explain what Tribal ecological knowledge is all about.
- There was a suggestion that received general support to make MLPA a keynote presentation or the working lunch session. This would allow for adequate time for presentation and questions and answers. The policy coming out of the Resources Agency is addressing Tribal ecological knowledge. That is an amazing outcome that institutionalizes the good work. May be released in the Spring.
- Tribes need to be brought into using communication technology. Having all the Summit information on a thumb-drive will encourage Tribes to use technology. This can include video interviews. It will reduce paper copies and promote going green.

ACTION ITEM: Look at MLPA for working lunch or plenary session.

ACTION ITEM: Consider having Summit materials on thumb-drives.

ACTION ITEM: Consider a poster session for building Tribal technical capacity.

Watershed Management and Land Use

Stephanie Seuss presented a case study regarding Tribal water resources and how they have been impacted by land use decisions. A map illustrated where the Tuolumne Band of Me-Wuk Rancheria is located. The county itself has no water rights – all water rights go to the Bay area through Hetch Hetchy. What's the end user result when water infrastructure changes?

In terms of background, the Tuolumne Band of Me-Wuk Rancheria has a population of about 150, with 120 homes. Years ago, through the mid-70s, a historical ditch ran through the Tuolumne Band of Me-Wuk Rancheria – providing water. A housing subdivision above the Tuolumne Band of Me-Wuk Rancheria, offered to hook the Tuolumne Band of Me-Wuk Rancheria to a new water system in exchange for the ditch water. This resulted in the Tribe losing the ditch and access to irrigation water for their orchards. The Tribe is now subject to rate increases and whatever change occurs within the water system.

Many mountain communities rely on water supplied via mining flume. This is a land use and watershed issue. If the flume is lost due to a fire, there is no water supply – there is no water storage until further downstream. Sources of water for Tuolumne County are from PG&E. There are 17 individual water systems in Tuolumne County that need to be maintained. The Tuolumne Band of Me-Wuk Rancheria and communities need water for economic development and fire fighting. This all relates to infrastructure. Because of the damming downstream, salmon are no longer in the creek. There are also road culverts that affect the movement of other species, such as turtles. What happens in the forest affects the Tuolumne Band of Me-Wuk Rancheria and downstream communities.



Meadow restoration is necessary to help provide water. Most of the water is transported out of the county. The Tribe no longer has access to water sources. Tribes are encouraged to participate in IRWM efforts, since that is the one source of Prop 84 funding still available. Tuolumne Me-Wuk are using funds from Indian Health Services (from EPA) to replace septic. The hope is to receive funding from IRWM for implementation.

The Watershed Management Design Team has some ideas about discussing the issues of water in terms of turning on the tap – where does the water come from, how is it delivered, how is it protected? There are areas in Southern California helping fund water districts in Northern California to manage forests and reduce catastrophic fires. There are big connections being made across the State.

During the drought, water releases are being requested from the Pinecrest reservoir – but lake residents don't want the water levels lowered. Also, "inefficiencies" in ditch deliveries are now supporting wetlands and riparian areas.

Discussion

- There was a question if it is helpful to have a case study that covers so many aspects of land use and watershed management: forest management, dams and impacts, watershed management, water rights and infrastructure. This case could serve as an outline, or to highlight similarities of what is occurring.
- There are a number of Tribes that share very similar issues and concerns from around California. It may be beneficial to see where there are regional similarities and where there are differences to ensure that case studies are California-Wide.
- If thinking about deliverables, it might be for Tribes to form a coalition and address what is happening on the watersheds. In the last Plenary, a number of Tribes in Southern California are working with counties and the forest to help implement restoration efforts. This looks at what can be done right now. The case study is good – we want to showcase the example, providing a foundation of what we want to build on. Show what is happening in Tuolumne and in Southern California. This will help everyone have a better understanding of what is happening across the state.
- In the relicensing process, Tribes can affect the timeline and requirements associated with relicensing by filing each year.
- There will be overarching similarities – including climate change. This is driving system reoperation and flood management. As General Plans are amended, SB 18 is triggered and provides Tribes with an opportunity to weigh in.
- Coalitions are needed between Tribes, local communities and environmental groups to move forward. Tribes may not be aware of the potential water challenges that are facing them. Partners may be found in unlikely places. Recreation users and historic preservation interests can serve as allies.



- Tribes may be more aware of changes in the watershed, since they are connected to the environment in their daily activities. Where is the funding for Tribes to document climate change?
- All of these examples are tools and strategies that can be shared.
- Look at the Klamath Basin Water Quality Workgroup and the Klamath Basin Monitoring Program as examples of collaboration.
- What are the regulations regarding Tribal access to cultural materials? What are the trust responsibilities and enforcement of those responsibilities?

ACTION ITEM: Look at topic of trust responsibilities for indigenous rights to water and the Culture and Water RMS.

ACTION ITEM: Look at finding a case study on what is occurring in Southern California with respect to watershed management.

Stephanie Lucero recapped that the discussion mentioned developing networking opportunities and creative partnerships for better management and addressing Tribal needs through planning. Some of the major points are: dams, relicensing, source of water, community access to water, climate change, general plans and SB18, and the value of maps and mapping to assist Tribes in telling their story and demonstrating their issues. Case studies and examples want to represent statewide issues. We will want to discuss breakthroughs, challenges and lessons learned. How do we want to get the discussion going?

TWS Work Plan

The TWS Work Plan was reviewed. Much of the logistics work is complete through February. Media and outreach will require working on some of the materials, to share with the Tribal AC at the November meeting.

Design Teams will need to work offline to further refine the TWS agenda items.

In thinking about developing the agenda themes, the following will apply:

- Design Teams are responsible for determining the type of materials, presentations and formats for achieving the objectives for each theme.
- The Summit audience will be comprised of both state agency and Tribal representatives.
- White papers need to be discussed to help engage participants.
- Outcomes and deliverables need to advance Native American interests, and create policy change. The Summit needs to result in something that we can delight in.

On November 8th, the TWS Planning Team and Design Teams will present team members and the approach that is being proposed. Presenters will be invited by early January. At the Jan. 24th



Tribal AC meeting, we will finalize the mini-agendas. February 28 is the date to finalize materials for the meeting packet/thumbdrive.

ACTION ITEM: Design Teams to prepare the content framework, for each theme, to present to the Tribal AC.

Resolution

There has been a discussion on a joint signing (of Tribal and agency representatives) of a resolution at the Summit. That requires a draft resolution be in place by the end of December, to circulate to agencies and Tribes – so that they obtain approval to sign at the Summit. There may be a “whereas” section. The concept is for a non-binding resolution to work together to move forward on the three themes. It could be forwarded to create a proclamation by the Governor. A team is needed to develop language for the resolution.

The resolution would be formed in advance, for signature at the Summit. The draft would be crafted, and presented to the Tribal AC. The final language would then be circulated to agencies and Tribes for their consideration – saying that this will be introduced at the Summit and available for signature. It would continue what people are coming to the Summit to discuss.

A resolution represents a piece of the momentum – it’s a tangible representation of commitment to work together. It would be worthwhile in terms of saying here is our focus and these topics have not been fully addressed. The Tribes and agencies will not want surprises. It will be good to work together and develop support for the resolution. The resolution can support policies that are being put into place. We would work with Secretary Laird to develop this.

The resolution would need to be signed by agency directors. It doesn’t need to be signed by everyone, it would be a start. It would go a long way in reinforcing commitment. There is some disappointment with recommendations from the 2009 TWS not being implemented. There was a suggestion for an exhibit on 2009 recommendations.

The resolution should push towards something that shows the commitment. The signing of the resolution would occur just prior to moving into the Summit implementation session.

ACTION ITEM: Atta, Shanti, Ron and Tim will serve on the Resolution drafting team.

ACTION ITEM: Bring the resolution concept to the Tribal AC on November 8th.

ACTION ITEM: Send Randy notes from last meeting.



Next Steps

ACTION ITEM: Atta will be involved with the Exhibits Team.

ACTION ITEM: Add “Exhibits” to the next TWS Planning Team agenda.

ACTION ITEM: Update Tribal Water Summit Teams roster document.

ACTION ITEM: Discuss white papers, which are needed to engage Tribes.

ACTION ITEM: Kimberly will follow up with the Karuk Tribe. This is a formal process and Kimberly will send a letter to the Chairman, and invite them on behalf of the TWS.

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ACTION ITEM: Conduct targeted outreach to Mojave tribes.

ACTION ITEM: Two areas of the MLPA process that could be focused on include: the type of Tribal knowledge shared; and the process that brought that knowledge in.

ACTION ITEM: Look at MLPA for working lunch or plenary session.

ACTION ITEM: Consider having Summit materials on thumb-drives.

ACTION ITEM: Consider a poster session for building Tribal technical capacity.

ACTION ITEM: Look at topic of trust responsibilities for indigenous rights to water and the Culture and Water RMS.

ACTION ITEM: Design Teams to prepare the content framework, for each theme, to present to the Tribal AC. Contact Stephanie with input that you need from the Tribal AC.

ACTION ITEM: Atta, Shanti, Ron and Tim will serve on the Resolution drafting team.

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ACTION ITEM: Send Randy notes from last meeting.

Next TWS Meeting is December 14th from 9 a.m. – 4:30 p.m. (Confirm on November 8th). This meeting will include a status check on the 2009 recommendations. Many of the themes can be incorporated into the 2013 Summit. Design Teams will assess which themes can be incorporated into the mini-agendas.



Attendance

Chris Keithley, CalFire

Kelly Larvie, CalFire

John Covington, Morongo Band of Mission Indians

Ron Goode, North Fork Mono Tribe

Julie Griffith-Flatter, Sierra Nevada Conservancy

Atta Stevenson, California Indian Water Commission

Stephanie Suess, Tuolumne Me-Wuk Tribal Council

Shanti Warlick, California Indian Water Commission

Ken Wiseman, Natural Resources Agency

Emily Alejandrino, DWR Tribal Coordinator Work Team Lead

Kimberly Johnston-Dodds, DWR Tribal Liaison, Executive

Abimael Leon-Cardona, DWR Tribal Liaison, South-Central Regional Office

Tim Nelson, DWR Tribal Liaison, North-Central Regional Office

Via Webinar

Rob Cozens, Resighini Reservation

Bruce Gwynne, Department of Conservation

Oscar Serrano, Colusa Indian Tribe

Facilitation Team: Stephanie Lucero, Tribal Facilitator; Judie Talbot, facilitation support; Center for Collaborative Policy, CSU Sacramento